



Herman G Honanie
Chairman
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August 11, 2015

Via email: chan.patrick@epa.gov

Mr. Patrick Chan, Enforcement Officer
SDWA/FIFRA Enforcement Office (ENF-3-3)
U.S. Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

Mr. Chan:

This letter is in response to your correspondence dated July 10, 2015 in regards to "Consultation and coordination with the Hopi Tribe on violations of the Safe Drinking Water Act at four public water systems within the exterior boundaries of the Tribe's Reservation".

The Hopi Tribe has reviewed the letter and would like to continue with the consultation process and in any matters regarding the Public Water System(s) (PWS) on the Hopi Reservation as per the Treatment as a State (TAS) recognition that was given in 2008 to the Hopi Tribe Water Resources Program.

Per your correspondence there were five (5) questions that were asked of the Tribe to respond to as an effort to begin this consultation process. Below are the answers to those questions as to the best of the ability of the Tribe to answer at this time.

1. Does the Tribe agree that each of the Village Systems is a "Tribal facility" within the definition of the Tribal Enforcement Policy?

No, the Tribe does not agree that each Village System is a "Tribal facility" as per the definition of the Tribal Enforcement Policy with the exception of the Cultural Center PWS ID. 090400260. The Tribe does not directly fund any of the other three Public Water Systems (PWS).

2. Does the Tribe own and/or operate any of the Village Systems? If so, which ones.

No, the Tribe does not own and/or operate any of the Village Systems.

3. Does the Tribal Government receive any revenue from the operations of the Village Systems? If yes, which System(s) and how much from the System(s)?

No, the Tribe does not receive any revenue from any of the Village Systems.

4. Do any of the Village Systems employ members of the Tribal Community, or have they done so in the recent past? If yes, which System(s) and how many, when, and for how long from each System(s)?

The Village System(s) do employ Tribal Community members as well as Non-Community members. These employment records are kept with the Village System(s) and the Tribe is not part of the hiring process or records management portion for personnel records.

5. Are there any other community or cultural interest with respect to the Village Systems that we ought to take into account?

One aspect that must be taken into account is the socio-economic factors that are at play on the Hopi Reservation as a whole. There is a 60% unemployment rate with very little means for the Village System(s) to adapt to both financially and personnel wise to changing federal regulations. There is a disproportionate burden on Indian Lands as whole when dealing with such issues and is basically an environmental justice issue.

The Tribe views these SDWA Compliance issues in the same light as the U.S. Environmental Protection Agency and will work steadfastly with you all to come back into compliance on these issues. If you need any further clarification regarding this matter please contact Lionel Puhuyesva, Director Water Resources Program at Lpuhuyesva@hopi.nsn.us or by phone at (928) 734-3711.

Sincerely,



Herman G Horanie, Chairman
The Hopi Tribe